

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BILLY DRIVER, JR.,

,

v.

J. GARRY,

Defendant.

No. 2:20-cv-0800 TLN AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On July 13, 2020, plaintiff filed a motion to file his documents electronically. ECF No. 10. For the reason stated below, the motion will be denied.

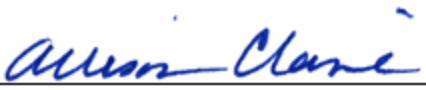
Although the Eastern District of California is an electronic management/filing district, unrepresented persons are required to file and serve paper documents unless the assigned District Judge or Magistrate Judge grants leave to utilize electronic filing. L.R. 133(a), (b)(2). A pro se party may bring a request to use electronic filing as a written motion setting out an explanation of reasons for the requested exception. L.R. 133(b)(3). A motion to e-file must make clear whether a plaintiff is familiar with the requirements applicable to electronic filing in this court, and whether a plaintiff has access to the hardware and software needed for electronic filing. Once a

1 plaintiff is approved to file documents electronically, he will no longer receive any documents by  
2 mail, and the court will not accept paper documents from him, meaning he can no longer mail in  
3 any filings.

4 Plaintiff's motion does not provide an explanation of reasons why plaintiff should be  
5 excepted from the paper filing requirement for pro se litigants. See ECF No. 10; see also L.R.  
6 133(b)(3) (explanation requirement). Furthermore, plaintiff does not indicate that he has regular  
7 access to all the resources needed to electronically file, view, and retrieve case documents  
8 successfully.<sup>1</sup> See ECF No. 10. Such resources are not generally available to incarcerated  
9 litigants. Although this court does have a pilot program through which inmates may commence  
10 actions by electronic submission of a complaint through a process provided by the prison, that  
11 project does not currently extend to the ongoing electronic filing of documents.

12 Accordingly, IT IS HEREBY ORDERED that 's motion to file his documents  
13 electronically in this action (ECF No. 10) is DENIED.

14 DATED: July 28, 2020

15   
16 ALLISON CLAIRE  
17 UNITED STATES MAGISTRATE JUDGE  
18  
19  
20  
21  
22  
23  
24  
25  
26

27 <sup>1</sup> The CM/ECF User Manual, which lists all items needed to file electronically, is available on  
28 the court's website at:  
<http://www.caed.uscourts.gov/caednew/index.cfm/cmecf-e-filing/cmecf-users-manual/>.